Devt (195 /) Department

Ms SERIES.

G.O. No. 4903

Dated 5-11-51

[Despatch Abstract.]

Acts & Rules — Madras Game Rules for pursuit of Game in Revenue Forests — Amendments Issued

GOVERNMENT OF MADRAS.
ABSTRACT.

Acts and Rules - Madras Game Rules for pursuit of game in ~~Revenue~~ Reserve Forests - Amendments Issued.

DEVELOPMENT DEPARTMENT.

G.O.Ms.No.4903. Dated 5th November 1951.
Read the following:

Government Memorandum No.18904 C/42-1, Development dated 18.7.42.
Government Memorandum No.4838 CII/47-23, ,, dated 6.4.51.
From the ~~Conse~~Chief Conservator of Forests, Ref.No.5268-46-D1, dated 28.8.48.
-do- ,, ,, 16.5.49.
-do- ,, ,, 26.9.49.
-do- ,, ,, 6.9.50.
-do- ,, ,, 20.2.51.

O R D E R:

With a view to implementing the resolution passed at the All India Conference for the preservation of wild life passed in January 1935, that certain animals and birds requiring special protection should be scheduled by Local Government and defined as 'Forest Produce', this Government called for proposals from the Chief Conservator of Forests for amending section 2 of the Madras Forest Act of 1882. As it was however felt that the object of the amendment (the protection of wild animals and wild birds not only in forests but also in places beyond) will be outside the ambit of the Madras Forest Act and would be best secured by a separate legislation on the lines of the Punjab Wild Birds and Wild Animals' Act 1933, the Chief Conservator of Forests was asked to submit proposals for necessary legislatic

2. The Chief Conservator of Forests in consultation with t Nilgiri Game Association and Mr.R.C. Morris (Well known Shikari) and Lt. Colonel E.G.Phythian Adams O.B.E.(Expert on wild life in South India) reported that there is no need for remodelling the existing Madras Game Rules on the lines of the Punjab Act which contained a mass of schedules which will be unintellegible to the majority of the people and that the present Madras Game Rules are more suitable. However he felt that the Madras Game Rules contained much that is ~~redu~~ redundant and that they may be simplified. Government accepted the Chief Conservator's views and directed him to submit draft amendments to the Madras Game Rules. The Chief Conservator of Forests has accordingly submitted draft amendments.

3. The Madras Game Laws and Rules comprise of:-

(1) Game Rules to regulate the pursuit of game in Reserved Forests
(2) Game Rules to regulate the pursuit of game in Reserved ~~Forests~~ Lands.
(3) Special Rules to regulate the pursuit of game in the Nilgiris.
(4) Special Rules to regulate shooting in Reserved and unreserved lands in Coimbatore North and Kollegal forest division.
(5) Special Rules to regulate the pursuit of game in the Palni Hills, Madhurai Division.

Of these, the present proposal relate to the amendment of item (1) above only viz. Game Rules to regulate the pursuit of games in Reserved Forests. The Chief Conservator of Forests has not proposed any amendments in respect of item 2 above viz. Game Rules in Reserved Land since such lands are small and shooting rules have to be applied by Collectors if necessary by special notification, and when such rules are issued the rules applicable to Reserved Forests, will apply automatically to these Reserved lands also. The Chief Conservator had promised to submit amendments to items 3, 4 and 5 above viz- special rules for Nilgiri, Coimbatore North and Kollegal Forest Division, and Palni Hills. These are awaited.

4. After examining these amendments in respect of the Madras Game Rules to regulate pursuit of Game in Reserved Forests, His Excellency the Governor of Madras directs that the Notification appended below shall be published in the Fort St. George Gazette and all District Gazettes.

J.M. LOBO PRABHU,
Secretary to Government.

To The Chief Conservator of Forests.
The Superintendent, Government Press.
All Departments of Secretariat.
All Collectors, and District Judges.
The Board of Revenue.
The Registrar, High Court.

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A P P E N D I X.

Notification.

In exercise of the powers conferred by clause (h) of Section 21 of the Madras Forest Act, 1882 (Madras Act V of 1882), His Excellency the Governor of Madras hereby makes the following amendment to the Rules for the regulation of hunting, shooting and fishing and to prohibit the poisoning of water, and the setting up of traps or snares within the limits of all reserved forests situated in the State of Madras published with Development Department Notification No.430 dated 10th July 1896 at pages 1092-1094 of Part I of the Fort St. George Gazette dated the 1st September 1896.

AMENDMENTS.

In the said Rules---

I. for rule 5, the following shall be substituted namely:-

"5(1) The wild birds or wild animals specified in Schedule I may be killed, captured, possessed, bought, sold or offered for sale throughout the year, provided that females of tiger, panther and bear shall not however be shot when accompanied by cubs too small to take care of themselves.

(2) No person shall at any time of the year shoot at any birds or animals specified in Schedule II except as provided in that Schedule. Provided that this sub-rule shall not apply to genuine NATURAL HISTORY COLLECTORS authorised in this behalf by the District Forest Officer.

(3) No person shall kill, capture, possess, buy or sell or offer for sale any animal or bird specified in Schedule III except when it is doing damage to crops or under a special permit to be issued by the District Forest Officer.

(4) (i) Any animal may be kept in captivity subject to the conditions laid down in item(a) of Schedule IV.

(ii) The wild birds specified in item (b) of Schedule IV may be kept in captivity to the extent specified therein."

II. for rule 6, the following shall be substituted namely:-

"6(i) The removal of the eggs of all birds is prohibited.

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(ii) The use of poison and of dynamite or the capture or destruction of animals or birds and of traps or snares therefor are prohibited except permission of the District Forest Officer."

III. for rule 7, the following shall be substituted, namely:-

"7(1) No person shall shoot any of the animals specified in Schedule II other than birds of prey or tiger, panther, bear, wild pig, wild dog, porcupine, or wolf

(i) at a water-hole or salt-lick, or
(ii) from a machan or shelter, or
(iii) by the aid of artificial light.

(2) No person shall shoot any bird or animal from a vehicle.

(3) No person shall sell or buy or offer for sale in any way the hides, horns, plumage, flesh or any other part of animals or birds specified in Schedule II and Schedule I."

(IV) In rule 8, for words "Sambhur, Chital, Bison, Ibex, Antelope (four horned) Chinkara) barking deer and buffalo and jungle sheep" the following shall be substituted :-

"Sambhur, Chital, Bison, Ibex, Antelope (four horned) Chinkara) barking deer and buffalo.

No females or immature males of the animals mentioned in any time".

(V) after Rule 13 the following shall be added,

SCHEDULE I (See rule 5(1)

BIRDS AND ANIMALS EXCLUDED FROM PROTECTION BE SHOT UNDER A LICENCE:

(a) Birds of prey, cormorants, crow-pheasants, crows, rock pigeons and green pigeons.

(b) Tiger, panther, bear, wolf, jackals, wild dog, porcupine, wild cat, mongoose, otter, crocodile, etc.

(Female of tiger, Panther and bear not to be destroyed by cubs too small to take care of themselves.)

SCHEDULE II (See Rule 5(2)

BIRDS AND ANIMALS PARTIALLY PROTECTED AND SHOT UNDER A LICENCE (except during the close season mentioned

Birds and Animals	Close season
(a) Geese, Duck, Teal, Partridge, Sandgrouse, Quail, Snipes Florican.	1st June to 30th
Woodcock, Jungle fowl, Spur fowl.	1st February to 31st
Imperial pigeons, wood pigeons.	1st February to
(b) Sambhur, Chital, Bison, Ibex, Chinkara, barking deer, buffalo, four horned antelope.	1st June to

Note: The close season mentioned above is general for and is applicable to a particular Division only fication relating to that Division has been issued season for the several Divisions will be fixed by consultation with the Collector.

SCHEDULE III (See Rule 5(3)

PROTECTED AT ALL TIMES EXCEPT WHEN THEY [illegible] BY SPECIAL PERMIT TO BE ISSUED BY THE

[illegible] of birds not herein before mentioned

[illegible] Nilgai, Malabar squirrel, all kinds of monkeys Chevrotain (mouse deer), imported animals, and antelope (Black buck).

SCHEDULE IV (See Rule 5(4)

[illegible] TO BE KEPT IN CAPTIVITY.

(a) Any animal may be kept in captivity subject to the following condition namely:-

No person shall

(i) cruelly and un-necessarily beat, overdrive, overload, torture or otherwise ill-treat any animal, or

(ii) bind or carry any animal in such a manner or position as to cause unnecessary pain or suffering to the animal; or

(iii) possess any live animal which is suffering from pain or mutilation, starvation or other ill-treatment or any dead animal in respect of which there is reason to believe to have been killed in an unnecessarily cruel manner.

(b) Parroquets - Not more than 6. Munias and weaver Birds [illegible] 10 of each species. Mynas not more than 2. Partridges - Not more than 2 of each species. Blue Rock Pigeons [illegible].

VI. In condition 2 of the Form of Shooting Licence for one [illegible] division.

(1) for the words beginning with the words "the shooting [illegible] with the words Jungle sheep' the following shall be substituted, namely:-

"Shooting of the animals is prohibited.

except a duly prescribed rogue or in defence of life or [illegible] cultivated lands or on or in the immediate vicinity [illegible] (Nilgai, Malabar squirrels, all kinds of monkeys (Mouse deer), Black buck, imported animals and the females [illegible] of the following animals designated Big Game:-

[illegible] Nilgai, Bison, Ibex, Antelope (four horned antelope, Chinkara) [illegible] and buffalo.";

(2) for condition 5, the following shall be substituted, namely:-

"5. In the case of Big Game the following is the maximum [illegible] animals that may be shot under this licence:-

Sambur - one
Nilgai - one
Chinkara - one
Four horned antelope, - one
Mouse deer - one
Bison, buffalo, or ibex- one.

[illegible] animals count against the licence as regards bag

P.T.O.

The following constitute small game and no birds other than those listed below may be shot except birds of prey cormorant , crow pheasants, crows, doves, blue cock pigeons, and green pigeons.

Jungle fowl, spur-fowl, partridge, quail, sandgrouse, woodcock, snipe, duck, goose, florican, teal, imperial pigeons and woodpigeons";

(3) for condition 6, the following shall be substituted, namely:-

"6. The following birds and animals shall not be shot during their close season which is noted against them:-

Geese, duck partridge, sandgrouse, quail, snipe, florican, teal.	1st June to 30th September (both days inclusive)
Woodcock, junglefowl, spur fowl.	1st February to 30th June (both days inclusive)
Imperial pigeons, wood pigeons.	1st February to 31st July (both days inclusive)
Sambhur, Chital, bison, ibex, antelope, (four horned antelope, chinkara), barking deer and buffalo.	1st June to 31st October (both days inclusive)."

(4) in condition 7(c) for the words "or porcupine" at the end the words "porcupine or wolf" shall be substituted.

(5) for condition 8, the following shall be substituted, namely:-

"8. Nothing in this licence shall be deemed to permit the shooting of the females of tiger, panther and bear when accompanied by their offspring too young to feed for themselves."

(6) for condition 11, the following shall be substituted, namely:-

"11. The selling, buying, offering for sale or marketing in way the hides, horns, plumage, flesh, or any other part of the animals or birds shot by licence holders is strictly prohibited.";

VII. In the Form of Plural Licence.

(1) in condition 2 for the words beginning with words "The shooting" and ending with the words "jungle sheep" the following shall be substituted, Namely:-

"2. The shooting of the following animals is prohibited:-

Elephants (except a duly prescribed rogue or in defence of life or when found upon cultivated lands, or in the immediate vicinity of public roads), Nilgai, Malabar squirrels, all kinds of monkeys, chevrotain (mouse deer), Black-buck, imported animals and the females and immature males of the following animals designated as Big Game:-

Sambur, Chital, bison, ibex, antelope (four horned antelope), chinkara), barking deer and buffaloe.

(2) for condition (5), the following shall be substituted, namely:-

"5. In the case of Big Game the following is the maximum number of animals that may be shot under this licence:-

Sambur - Two
Chital- Two
Bison Buffaloe or ibex - one
Antelope (Chinkara two
(Four horned antelope -Two
Barking deer - two.

Note: - All wounded animals count against the licence as regards bag.

P.T.O.

The following constitute small game and no birds other than those listed below may be shot except birds of prey, cormorants, crows, doves, blu rock pigeons and green pigeons.

Junglefowl, spurfowl, partridge, quail, sandgrouse, woodcock, snipe, duck, goose, florican, teal, imperial pigeons, and woodpigeons."

(3) for condition 6, the following shall be substituted namely:-

Geese, duck, partridge, sandgrouse, quail, snipe, florican, teal.	1st June to 30th September (both days inclusive)
Wood-cock, Junglefowl, spur fowl.	1st February to 30th June (both days inclusive)
Imperial pigeons, wood pigeons.	1st February to 31st July (both days inclusive)
Sambhur, Chital, Bison, Ibex, Antelope) (Four horned Antelope, Chinkara) Barking Deer and buffaloe.	1st June to 31st October (both days inclusive)

XV. For the words "or porcupine" occurring in condition 7(c) the words "porcupine or wolf" shall be substituted.

(4) condition 8 shall be renumbered as condition 10 and before the condition as so re-numbered, the following shall be inserted, namely:-

"8. Nothing in this licence shall be deemed to permit the shooting of the females of tiger, panther and bear when accompanied by their offspring too young to feed for themselves.

9. The selling, buying, or offering for sale or marketing in any way the hides, horns, plumage, flesh or any other part of animals or birds shot by licence holders is strictly prohibited."

/True Copy/.

SUPERINTENDENT.
Madras Record Office, Madras.

Vn.24.9.